

FILED: February 28, 2008

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 08-122  
(1:07-cv-00308-GCM)  
(1:07-cv-00380-GCM)

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In re: CLEVELAND WESLEY HELLER,

Movant

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O R D E R

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Movant has filed a motion under 28 U.S.C. § 2244 for an order authorizing the district court to consider a second or successive application for relief under 28 U.S.C. § 2254 or 2255. Because the claims movant seeks to assert are not second or successive, we deny the motion as unnecessary.

Entered at the direction of Judge King with the concurrence of Judge Shedd and Senior Judge Wilkins.

For the Court

/s/ Patricia S. Connor, Clerk